

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

10-CR-6127-CJS

v.

**SUPPLEMENTAL MOTION FOR
3582(c)(2) RELIEF**

DAREN A. BROOKS,

Defendant.

I am an attorney with the Federal Public Defender's Office for the Western District of New York, and our office has been assigned to represent defendants eligible for sentence reductions in this district.

On April 30, 2014, the United States Sentencing Commission submitted to Congress an amendment to the sentencing guidelines that reduces the guidelines applicable to drug-trafficking offenses. The amendment reduces by two the offense levels assigned in the Drug Quantity Table (U.S.S.G. § 2D1.1), resulting in lower guideline ranges for most drug-trafficking offenses. The amendment took effect on November 1, 2014.

On July 18, 2014, the Sentencing Commission voted to apply the amendment retroactively. The Commission did so by voting to add the amendment to the list of amendments in U.S.S.G. § 1B1.10 (Reduction in Term of Imprisonment as a Result of Amended Guideline Range (policy statement)) that may be applied retroactively. The effective date of the retroactivity amendment was November 1, 2014.

Mr. Books has filed a *pro se* motion for a reduced sentence. In an effort to supplement this motion, I have reviewed Mr. Books' records, and calculate his new sentencing range at 168 to 210 months.

Accordingly, Mr. Brooks now respectfully moves for a reduction of his sentence under the 2014 Drug Amendment pursuant to 18 U.S.C. § 3582(c)(2) and asks that this Court issue an Amended Judgment sentencing him to a period of incarceration of 168 months.

DATED: Buffalo, New York, September 3, 2015.

Respectfully submitted,

/s/MaryBeth Covert

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